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VIA JCD\_PetitionforReview@ao.uscourts.gov

**SECOND NOTICE**

April 5, 2019

John G. Roberts, Jr.,  
Chief Justice of the United States and  
Presiding Justice of the Judicial Conference of the United States  
1 First Street, NE  
Washington, DC 20543

**Notice** of the March 5, 2019 Complaint under 28 U.S.C. §§ 351–364 against the Judicial Council of the Second Circuit, Robert A. Katzmann, the Chief Judge of the United States Court of Appeals for the Second Circuit, and Ronnie Abrams, a justice of the US District Court for the Southern District of New York, for their deliberate mismanagement of the domestic relations exception to federal subject matter jurisdiction (the “DRE”) for the deliberate conduct outside of their jurisdiction to prevent the undersigned’s federal civil rights complaint titled *Asensio et al. v. DiFiore et al.* from being heard (“March 5, 2019 Complaint”).

Dear Chief Justice Roberts:

1. The undersigned has not received an acknowledgment of his March 5, 2019 Complaint. This matter is time sensitive. It concerns basic human rights in America. These rights were systematically abrogated through judicial misconduct and *ultra vires* actions. The government action is ongoing and deliberate. The action is being taken for the exact and explicit purpose of affecting a minor child’s religious, moral and political beliefs.

2. The action described above it being taken by the Hon. Robert A. Katzmann (“Judges Katzmann”), the Chief Judge of the United States Court of Appeals for the Second Circuit, and the Hon. Ronnie Abrams (“Judge Abrams”), a justice of the US District Court for the Southern District of New York. Their actions are the subject matter of the March 5, 2019 Complaint.

3. With all due respect, the undersigned requests that the Hon. Chief Justice take emergency action to denounce, condemn and admonish Judges Katzmann and Abrams’ conduct and give them warning, in the strongest terms possible, that they must immediately cease their deliberate

misconduct and mismanagement of *Asensio et al. v. DiFiore et al.*<sup>1</sup> (hereinafter “*Asensio v. DiFiore*”). The March 5, 2019 Complaint demonstrates that Judges Katzmann and Abrams are making a concerted and collaborative effort to prevent the *Asensio v. DiFiore* case from being heard by a jury. These judges are aware that the *Asensio v. DiFiore* case exposes massive corruption in New York County’s domestic relations business and that this business will not survive if it is exposed in the press. Accordingly, they engaged in ex parte communications with Janet Marie DiFiore (“DiFiore”), the Chief Judge of New York State to plant a negative story about the undersigned, and the *Asensio v. DiFiore* case, in the New York *Daily News*. The Hon. Chief Justice must take immediate action to remedy the harm they caused the undersigned, and his daughter, and their case, through their behavior to plant their story in the *Daily News*.

4. *Asensio v. DiFiore* is a matter of deliberate judicial misconduct that has been protected by the DRE. In the end, it is an action against the *ultra vires* acts that are allowing DiFiore take control of domestic relations matter that neither the federal or state government can regulate DRE. It is against *ultra vires* acts within the Hon. Chief Justice’s offices to sanction, and oversee, a concerted and collaborative effort by federal to allow state judges to regulate individuals, religion, private property, freedoms, and liberties that they have no right to question, investigate, regulate, administer, control or govern. It is against the failure to include the DRE in the statutorily mandated reports by Judicial Conference to the US Congress.

5. The DRE allows concerted and collaborative federal and state judicial misconduct against civil rights. DRE is not a statute. It is not a law but is being used by federal judges in the US Courts to affect any emotional rights and to take private property without authority as a weapon against opposition. As shown, in the March 5, 2019 Complaint, the DRE can only exist if the Hon. Chief Justice act *ultra vires* to allow it to exist. The Hon. Chief Justice has not notified or been authorized by US citizens, the President or Congress to use the DRE in US Courts. Any claim or representation otherwise is not legitimate and cannot change or affect this basic fact.

6. Without notice the DRE is being used in US Courts to allow state judges to take jurisdiction over individuals, religion, private property, freedoms, and liberties that neither federal nor state judges have the authority to question, investigate, regulate, administer, or control. These are liberties and freedoms that federal law clearly protects from government interference and that are protected under the US constitution’s Due Process Clause.

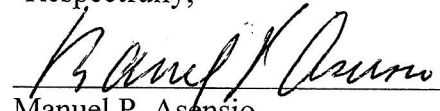
7. The DRE matter concerns violations of the Judicial Conference’s jurisdiction, and the Core Values of Rule of Law, Equal Justice and Accountability espoused in the Judicial Conference’s Strategic Plan for Federal Judiciary. Most importantly, the DRE is a monumental offense to the constitutional purpose of Article III and the Judicial Conference’s allegiance to the Constitution and laws of the United States.

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<sup>1</sup> The Defendants in *Asensio v. DiFiore* are Janet Marie DiFiore, chief judge of New York State; Barbara Underwood, former attorney general of New York State; Andrew M. Cuomo, governor of New York State; Adetokunbo O. Fasanya, New York County Family Court magistrate; and Emilie Marie Bosak, Eva Asensio’s mother.

8. In the interest of justice, the undersigned respectfully requests that the Hon. Chief Justice take emergency action in this matter.

Respectfully,



Manuel P. Asensio

Complainant

Anthony J. Sciria,  
Chair Committee on Judicial Conduct and Disability

James C. Duff,  
Secretary to the Judicial Conference  
One Columbus Circle, NE  
Washington, DC 20544

Hon. Robert A. Katzmann,  
Chief Judge of the United States Court of Appeals for the Second Circuit

Hon. Ronnie Abrams,  
US District Court for the Southern District of New York

Enclosed the March 5, 2019 Petition.